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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,485	10/30/2003	Bradley G. Vernon	PARNLD.001A	3153
20995 7590 01/15/2009 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER				
MATTHEWS, TERRELL HOWARD				
ART UNIT		PAPER NUMBER		
3653				
NOTIFICATION DATE		DELIVERY MODE		
01/15/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* BRADLEY G. VERNON  
and PATRICK D. ARNOLD

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Application No. 10/699,485  
Technology Center 3600

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Mailed: January 14, 2009

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Before KAREN SWEENEY, *Paralegal Specialist*

SWEENEY, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on May 20, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matters requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on April 14, 2006, Appellants filed an Amendment After Final in response to the Final Rejection mailed January 12, 2006. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed Amendment will or will not be entered for purposes of appeal. Clarification from the Examiner is required.

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- (1) appropriately respond to the Amendment After Final;
- (2) vacate the Examiner's Answer mailed August 13, 2007;
- (3) provide a new Examiner's Answer including a correct "Status of Amendment" section in addition to correction to other sections as required; and
- (4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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